

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Do Denim, LLC,

Plaintiff,

08 Civ. 6518
(PKC)

-against-

E.K. Denim Group, Inc.,

Defendant.

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AFFIRMATION IN SUPPORT
OF CLAIM FOR
REASONABLE ATTORNEY'S
FEES AND EXPENSES

Robert A. Schachter, an attorney duly admitted to practice law in the State of New York and the United States District Court for the Southern District, affirms under penalty of perjury as follows:

1. I am a member of the Bar of this Court and am a partner the firm of Robinson Brog Leinwand Greene Genovese & Gluck, P.C., attorneys for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.
2. I make this affidavit pursuant this Court's procedural requirements with respect to claims for reasonable attorneys' fees and expenses.
3. The claim for the costs of this action and Plaintiff's reasonable attorneys' fees is based on 15 U.S. C. § 1117(a).
4. The factual basis for the claim for reasonable attorneys' fees and expenses is that attorneys for the Plaintiff accrued legal fees for:
 - a. investigating Plaintiff's claims against Defendant;
 - b. drafting the complaint and accompanying documents,
 - c. drafting the instant motion and accompanying documents.

5. A listing of the reasonable hourly rates of the attorneys involved in this proceeding, a description of and the dates on which the services were rendered and a description of the expenses is attached hereto as Exhibit "A."

WHEREFORE, plaintiff respectfully requests his motion for entry of a default judgment pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure awarding the plaintiff a permanent injunction, monetary damages in an amount to be determined by the Court, costs and disbursement, including reasonable attorneys' fees, in an amount to be determined by the Court, and for such other and further relief as the Court deems just and proper to be granted.

Dated: New York, New York
September ✓, 2008

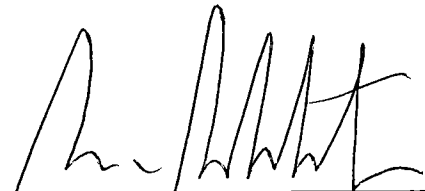

Robert A. Schachter (RS7163)

EXHIBIT “A”

Listing of Reasonable Attorneys' Fees and Expenses

1. Reasonable Attorney's Fees

A. Attorneys

Attorney: **Daniel Zohny, Esq.**

Hourly Rate: \$250.00

Date of Services	Description of Services	Hours Spent
07/10	Research regarding possible claims of Do Denim, LLC against E.K. Denim Group, Inc. concerning trade dress infringement, etc. Begin Draft of Complaint.	2.70
07/14/08	Continue Draft of Complaint.	2.70
07/15/08	Draft Memo to Robert A. Schachter regarding Statement of Facts for Complaint. Revise Complaint and draft Statement of Facts.	1.80
07/22/08	Revise and finalize Summons and Complaint, Compile Exhibits, Draft Rule 7.1 Statement, confer with Paralegal regarding filing of the Complaint.	0.9
08/15/08	Review Affidavit of Service and Confirm due date of Defendant's Answer.	0.2
08/18/08	Review of Procedure and Law on Default Judgments in SNDY	1.00
08//19/08	Draft Notice of Motion, Default Judgment, Affirmation in Support of Motion, Clerk's Certificate, compile exhibits for Affirmation.	4.00
08/21/08	Confer with Joanne Brennan (Paralegal) re: Clerk's Certificate of Default, Obtain Clerk's Certificate of Default from Clerk at SDNY.	1.30
08/27/08	Confer with Robert A. Schachter regarding certain issues with Default Judgment, research issues of service of Motion on Defendant, issuance of Subpoenas during default and scope of Default Judgment. Draft Memo to Robert A. Schachter.	2.50
08/28/08	Revise Notice of Motion for Default, Affirmation in Support, Default Judgment, Compile Exhibits to Default Judgment; Review additional rules and checklist for procedure regarding default judgment motions before Honorable Castel. Confer with RAS regarding alternative possibilities to reach judgment on money damages and injunctive relief simultaneously, telephone call with Clerk of Honorable Castel regarding same. Confer with Robert A. Schachter regarding Affirmation of Attorney's costs. Draft affirmation regarding attorney's fees.	2.80

09/02/08	Confer with RAS regarding fees accrued for services rendered to Do Denim, LLC v. E.K. Denim Group, Inc. Review billing memoranda. Draft Listing of Reasonable Attorneys' Fees and Expenses.	2.5
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Total hours spent on matter: 24.1

Total Fee amount: \$ 6025.00

B. Paralegals

Paralegal: **Keyana L. Downes**

Hourly Rate: \$125.00

Date of Services	Description of Services	Hours Spent
07/22/08	Filed Summons and Complaint and Civil Cover Sheet and Rule 7.1 Statement in SDNY	2.40
07/23/08	Docketed and Scanned Civil Cover Sheet, rule 7.1 Statement and Summons and Complaint	0.5
07/23/08	Prepared letter to DLS. Sent Documents to DLS for Service.	0.5
07/29/08	Docketed and scanned Affidavit of Service	0.3
07/30/08	Filed Affidavit of Service in SDNY	1.0
07/31/08	Docketed and scanned Affidavit of Service	0.2

Total hours spent on matter: 4.9

Total Fee amount: \$612.50

Paralegal: **Joanne M. Brennan**

Hourly Rate: \$150.00

Date of Services	Description of Services	Hours Spent
07/22/08	Draft and Prepare Civil Cover Sheet, prepared Summons and Complaint for Filing with Court, Gave	0.9

Total hours spent on matter: 0.9

Total Fee amount: \$135.00

Fees total: \$6772.5

2. Reasonable Expenses

Type of Expense	Amount
Filing Fees Complaint	\$350.00
Service of Complaint	\$78.95
Photocopying	\$14.00
Local Travel	\$10.00

Expenses total: \$449.95